

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.

01-03409

ROBERT A. DURCHSLAG

Plaintiff

CIV - HUCK MAGISTRATE JUDGE
BROWN

vs.

BRAMAN IMPORTS, INC. a Florida
corporation, d/b/a: Braman Honda,
MARIO MURGADO, MICHAEL
AGUILERA, CHARLES ALLEN, and
FRANKLIN ROIG, JR., Detective, Miami-Dade
Police Department,

Defendants

FILED
01-03-2001
CLERK OF COURT
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH, FLORIDA

COMPLAINT FOR DAMAGES

Plaintiff, ROBERT A. DURCHSLAG, ("DURCHSLAG"), sues Defendants, BRAMAN IMPORTS, INC., a Florida corporation, d/b/a: Braman Honda, ("BRAMAN"), MARIO MURGADO, ("MURGADO"), MICHAEL AGUILERA, ("AGUILERA"), CHARLES ALLEN, ("ALLEN"), and FRANKLIN ROIG, JR., ("DETECTIVE ROIG"), and as grounds alleges:

JURISDICTION and VENUE:

1. This is an action for damages violation of civil rights, among other claims, and arises under the United State Constitution, particularly under the provisions of the 14th Amendment to the Constitution of the United States, and under Federal Law, particularly the Civil Rights Act, 42 U.S.C. § 1983., 42 U.S.C § 1988¹.

¹ DURCHSLAG has claims under state law that are also presented in this Complaint.

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2. This Court has jurisdiction of this cause under and by virtue of Title 28 of the United States Code, Section 1343.

3. Venue is proper in the Southern District of Florida, as Plaintiff is a resident of Broward County, Florida, all Defendants are residents of Dade County, Florida, all actions complained of in this complaint occurred either in Dade or Broward County, Florida.

4. All conditions precedent to the bringing of this action have either occurred or have been waived.

ALLEGATIONS COMMON TO ALL COUNTS

5. DURCHSLAG is and was at all times material hereto an adult over the age of 18 years, a resident of Broward County, Florida and otherwise sui juris.

6. BRAMAN is a corporation organized and existing by virtue of the laws of the State of Florida, having its principal place of business in Miami-Dade County, Florida.

7. MURGADO is and was at all times material hereto an adult over the age of 18 years, a resident of Miami-Dade County, Florida and otherwise sui juris.

8. AGUILERA is and was at all times material hereto an adult over the age of 18 years, a resident of Miami-Dade County, Florida and otherwise sui juris.

9. ALLEN is and was at all times material hereto an adult over the age of 18 years, a resident of Miami-Dade County, Florida and otherwise sui juris.

10. DETECTIVE ROIG is and was at all times material hereto an adult over the age of 18 years, a resident of Miami-Dade County, Florida and otherwise sui juris.

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COUNT I
VIOLATION OF CIVIL RIGHTS

11. On or about March 7, 2000, DURCHSLAG was hired by BRAMAN for the position of finance manager, and promoted to desk manager on April 2, 2000. Among his responsibilities, DURCHSLAG was responsible for reduction of accounts receivable on car purchases already made and to reduce the time the customer spent in BRAMAN from the time the customer entered the business until the sale was consummated, including financing the transaction.

12. During his term of employment, DURCHSLAG reduced the accounts receivable from in excess of \$4,000,000.00 dollars to \$683,000.00 and reduced the customer time from in excess of four (4) hours to just over two (2) hours, by streamlining the paperwork process involved in originating and financing the automobile purchase.

13. During his term of employment, DURCHSLAG also identified sales practices, including areas of financing, that DURCHSLAG knew to be illegal, including, but not limited to: 1) false information on loan applications regarding income, credit worthiness and other financial relationships, all in an effort to qualify buyers that were known to be otherwise unqualified; 2) the false loan applications were then submitted to lenders, with an indemnity by BRAMAN to repurchase the loans upon default, thereby protecting BRAMAN from any investigation concerning the application by the lender; 3) and, on occasion, false information concerning

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familial relationships was included on loan applications in support of obtaining financing through a credit union, when financing the loan through commercial lenders was not possible. The result of the false information was to finance automobile sales that were otherwise not qualified for financing, thereby increasing sales and income to BRAMAN.

14. DURCHSLAG reported the fraudulent practices he discovered to his immediate supervisors, ALLEN, the finance director of BRAMAN, MURGADO, the chief executive officer and president of BRAMAN, and AGUILERA, the comptroller for BRAMAN. ALLEN, MURGADO, and AGUILERA informed DURCHSLAG that he need not worry about the practices as they were being addressed and rectified.

15. DURCHSLAG had a lease of a Land Rover that had expired and informed MURGADO and ALLEN of his desire to lease a Mercedes Benz, SL 500 sport. On April 25, 2000, MURGADO informed DURCHSLAG that he, MURGADO, had two (2) such vehicles and suggested DURCHSLAG lease one (1) of these vehicles from MURGADO. DURCHSLAG informed MURGADO these vehicles were not exactly what he was looking for and MURGADO and ALLEN agreed to have BRAMAN purchase the exact vehicle DURCHSLAG wanted from Bill Ussery Mercedes, a Miami dealership. On April 28, 2000, BRAMAN issued a check, signed by ALLEN and AGUILERA, to Bill Ussery Mercedes for purchase of the vehicle. A 2000 Mercedes Benz, SL 500, vin # WDBFA68F4YF193585, was delivered to BRAMAN for lease by DURCHSLAG, who was given delivery of the vehicle pursuant to the lease agreement. DURCHSLAG paid for the activation of the Tel-Aid vehicle locator system with Mercedes Benz

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and obtained his own State Farm Insurance policy on the vehicle through his agent, Bruce J. Diener, in Brookfield, Wisconsin. Thereafter, the vehicle was used by DURCHSLAG during his employment with BRAMAN and thereafter until coming into the possession of the police, the circumstances of which will be more fully set forth below.

16. On or about April 2, 2000, DURCHSLAG was promoted to Control Desk Manager by MURGADO and within a week or two of his promotion, DURCHSLAG observed that the fraudulent loan practices were continuing, despite his disclosure of the same to BRAMAN, MURGADO, AGUILERA, and ALLEN. DURCHSLAG informed ALLEN that he intended to resign from BRAMAN as DURCHSLAG would not be party to these activities. On May 13, 2000, DURCHSLAG tendered his written resignation, to be effective May 19, 2000. On May 17, 2000, MURGADO and ALLEN met with DURCHSLAG at MURGADO's residence during a lunch meeting and requested DURCHSLAG to reconsider and stay with BRAMAN. DURCHSLAG declined for the reasons previously stated and, in the presence of ALLEN, left BRAMAN in his leased vehicle on May 19, 2000.

17. On May 20, 2000 and May 22, 2000, ALLEN had telephone contact with DURCHSLAG concerning work matters, and at no time mentioned the leased vehicle in DURCHSLAG's possession.

18. On May 25, 2000, BRAMAN attempted to report the leased vehicle stolen but was unable to do so as the Certificate of Origin had not yet been delivered. The Certificate of Origin was obtained later that same day and a grand theft auto Offense-Incident Report was filed

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with Miami-Dade Police Department, by AGUILERA, claiming DURCHSLAG had stolen the vehicle, despite the fact that BRAMAN, MURGADO, AGUILERA and ALLEN knew the report to be false.

19. DETECTIVE ROIG attempted to contact DURCHSLAG through family and friends. DURCHSLAG was in Wisconsin at the time and was notified the police were attempting to contact him. DURCHSLAG made telephone contact with DETECTIVE ROIG, who informed DURCHSLAG that the vehicle had been reported stolen and needed to obtain possession of the vehicle and to discuss the matter with DURCHSLAG in person. DURCHSLAG denied the vehicle was stolen and provided BRAMAN with the exact location of the vehicle at the Fort Lauderdale Airport parking garage. The vehicle was recovered there.

20. Approximately ten (10) days after the vehicle was recovered, a stolen vehicle claim was filed with DURCHSLAG's insurance agent in Wisconsin by a "police officer" seeking insurance compensation for the "stolen vehicle."

21. Just prior to his employment with BRAMAN, DURCHSLAG had been arrested in Broward County, Florida and placed on probation for fleeing a police officer and child abuse, as a result of having his children in the vehicle when he fled.

22. DURCHSLAG returned to Florida and was arrested on the auto theft charge by DETECTIVE ROIG and was granted a bond of \$50,000.00 in Dade County in September, the Defendants sought violation of DURCHSLAG'S probation and DURCHSLAG was granted bond of \$2,000.00 from the Broward County, charges. DETECTIVE ROIG, BRAMAN, MURGADO,

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and ALLEN contacted the Broward County State Attorney and sought to have the Broward County bond revoked and a violation of the Broward County probation. Initially, the Broward County State Attorney and Probation Officer took the position there was no violation of the probation. Following insistence from the Defendants, the Broward County State Attorney reversed its position, despite insistence from the Probation Officer and legal opinion from the State of Florida Probation Department that no violation had occurred, and violated DURCHSLAG's probation, resulting in an incarceration in Broward County Jail for a period of seven (7) months.

23. As a result of the violation proceeding, DURCHSLAG hired Bo Hitchcock, Esq., a criminal attorney and his investigator, Cary Kultau, to gather evidence on behalf of DURCHSLAG. During the course of the investigation, documents surfaced that prove the vehicle was leased and not stolen, that BRAMAN, MURGADO, ALLEN and AGUILERA knew the vehicle was not stolen and DURCHSLAG was informed that DETECTIVE ROIG was receiving income from BRAMAN as an independent contractor, allegedly providing a cleaning service to BRAMAN. When all this evidence was presented to the Dade County State Attorney during a meeting of the parties, the State Attorney dropped all charges against DURCHSLAG and refused to prosecute him for the alleged auto theft.

24. BRAMAN, MURGADO, ALLEN and AGUILERA as agents and willful participants for and with significant aid from DETECTIVE ROIG, while acting under the color of his authority as an auto theft detective for Dade County, and within the course and scope of his

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employment, deprived DURCHSLAG, a citizen of the United States, of his rights, privileges, or immunities secured by the Constitution and laws through the filing, investigation and promulgation of a false police report, arrest and incarceration for an alleged crime they knew, or though reasonable investigative methods similar to those employed by the investigator of the criminal attorney, should have known was false and without merit.

25. As a direct result, DETECTIVE ROIG, individually and as an agent for Dade County, BRAMAN, MURGADO, ALLEN and AGUILERA, as agents of DETECTIVE ROIG, acting under color of authority and within the scope and course of his employment, knew or should have known their conduct was contrary to clearly established legal precedent such that a reasonable official and person would have known the specific conduct was illegal and would result in damages to DURCHSLAG.

WHEREFORE, DURCHSLAG demands a judgment for damages, compensatory and punitive, against DETECTIVE ROIG, BRAMAN, MURGADO, ALLEN and AGUILERA, together with costs, attorney's fees pursuant to 42 USC Section 1988 and such other and further relief as this Court may deem just and proper.

COUNT II
CONSPIRACY

DURCHSLAG realleges the allegations contained in paragraphs 1 through 23 above as if more fully set forth herein below.

26. BRAMAN, MURGADO, ALLEN and AGUILERA had been informed by

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DURCHSLAG of his findings of fraud on behalf of the employees of BRAMAN directed to lenders in the sale and finance documents falsely prepared and delivered to finance the automobile sales. When BRAMAN, MURGADO and ALLEN were unable to buy DURCHSLAG's participation by offering him a promotion, or to purchase his participation by *offers of additional benefits and further promotions*, BRAMAN, MURGADO, ALLEN and AGUILERA became concerned that DURCHSLAG would resign and report the fraudulent activity to the authorities.

27. In an effort to discredit DURCHSLAG, BRAMAN, MURGADO, ALLEN, and AGUILERA, together with the assistance of DETECTIVE ROIG, who was being paid by BRAMAN, conspired to develop the scheme of reporting the vehicle purchased by BRAMAN and leased by DURCHSLAG as being stolen by DURCHSLAG, knowing this report and arrest would be *sufficient grounds to violate DURCHSLAG's probation in Broward County, Florida* and result in his incarceration for up to fifteen (15) years.

28. During the course of the investigation conducted by the criminal attorney's investigator, it became clear that DETECTIVE ROIG, BRAMAN, MURGADO, ALLEN and AGUILERA conspired to falsely claim the vehicle was stolen, and to use DETECTIVE ROIG, who was being paid by BRAMAN, to direct the investigation to insure the false allegations contained in the police report were promulgated to a conclusion satisfactory to the above named Defendants, thereby insuring that DURCHSLAG would be incarcerated and lose all credibility in the event DURCHSLAG reported his findings of fraudulent conduct on lenders to the authorities.

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29. In furtherance of the conspiracy to deny DURCHSLAG his civil rights, AGUILERA filed the original police report on behalf of BRAMAN, DETECTIVE ROIG investigated the alleged stolen auto report, taking the investigation where the conspirators desired it to go, resulting in recovery of the vehicle and the incarceration of DURCHSLAG, MURGADO provided information to the Broward County State Attorney, agreeing to fully cooperate in the violation proceedings, including providing a value of the vehicle for restitution, and ALLEN provided a false statement of theft to the Broward County State Attorney to be used in the violation proceedings, all of which resulted in the incarceration of DURCHSLAG, just as planned..

30. As a result of the conspiracy of DETECTIVE ROIG, AGUILERA, BRAMAN, MURGADO and ALLEN, DURCHSLAG has been damaged.

WHEREFORE, DURCHSLAG demands judgment against DETECTIVE ROIG, AGUILERA, BRAMAN, MURGADO and ALLEN, both compensatory and punitive, costs and such other and further relief as this Court may deem just and proper.

COUNT III

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

DURCHSLAG realleges the allegations contained in paragraph 1 through 22 and paragraphs 27 through 29 as if more fully set forth herein below.

31. The foregoing actions taken by DETECTIVE ROIG, AGUILERA, BRAMAN, MURGADO and ALLEN were intentional, malicious, outrageous and executed with a blatant

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disregard for the rights of DURCHSLAG and were taken for the express purpose of causing discredit to DURCHSLAG.

32. The foregoing intentional and outrageous actions taken by DETECTIVE ROIG, AGUILERA, BRAMAN, MURGADO and ALLEN, all of which were known to be false and designed to expose DURCHSLAG to discredit and cause him to suffer as a direct result of the arrest and seven (7) month incarceration in the Broward County Jail, thereby intentionally causing emotional distress to DURCHSLAG.

33. The foregoing intentional and outrageous actions taken by DETECTIVE ROIG, AGUILERA, BRAMAN, MURGADO and ALLEN were expressly designed to cause and did in fact cause severe emotional distress to DURCHSLAG.

WHEREFORE, DURCHSLAG demands judgment against DETECTIVE ROIG, AGUILERA, BRAMAN, MURGADO and ALLEN for damages, compensatory and punitive, costs and such other and further relief as this Court may deem just and proper.

COUNT IV

NEGLIGENT SUPERVISION

DURCHSLAG realleges the allegations contained in paragraph 2 through 8 and 11 through 24.

34. BRAMAN owed a duty to DURCHSLAG to properly supervise the actions and activities of its employees.

35. BRAMAN breached the duty owed to DURCHSLAG by failing to properly

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supervise the action of its employees, MURGADO, ALLEN and AGUILERA by allowing them to file and pursue a false police report of auto theft against DURCHSLAG.

36. As a direct result of the negligence of BRAMAN to properly supervise its employees, DURCHSLAG was falsely accused of auto theft, incarcerated and spent seven (7) months in the Broward County Jail, all as a result of the unsupervised actions of BRAMAN's employees.

37. DURCHSLAG has been damaged as a direct result of the negligence of BRAMAN.

WHEREFORE, DURCHSLAG demands judgment against BRAMAN for damages, costs, compensatory and punitive, and such other and further relief as this Court may deem just and proper.

COUNT V
UNPAID WAGES

DURCHSLAG realleges the allegations contained in paragraphs 1-23 above as if more fully set forth fully herein below.

38. During the term of his employment, DURCHSLAG was entitled to wages in the form of commission and bonuses.

39. At the time of his resignation, DURCHSLAG had earned wages in the form of commissions and bonuses for the month of May, 2000.

40. Despite demand, BRAMAN has failed to pay DURCHSLAG his wages in the

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form of commissions and bonuses for the month of May, 2000.

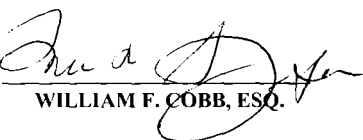
41. As a result of the foregoing, DURCHSLAG has been damaged

WHEREFORE, DURCHSLAG demands judgement against BRAMAN for damages,
costs, attorneys' fees pursuant to Florida Statute 448.08 and further relief as this Court deems just
and proper.

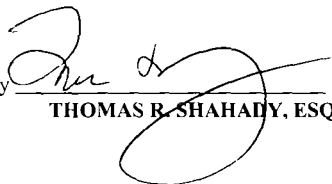
DEMAND FOR JURY TRIAL

Pursuant to Rule 38 (b), F.R.C.P, DURCHSLAG demands trial by jury of all issues
triable of right by a jury.

WILLIAM F. COBB, ESQ.
Co-Counsel for Plaintiff
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By 
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By 
THOMAS R. SHAHADY, ESQ.

JS 44
(Rev. 12/96)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

01-03409

DEFENDANTS

Branan Imports, Inc., a Florida corp., d/b/a
Branan Honda, Mario Murgadeo, Michael Aguilera,
Charles Allen and Franklin Roig, Jr., Detective,
Miami-Dade Police Department.

ROBERT A. DURCHLAG MAGISTRATE JUDGE
CIV - HUCK **BROWN**

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

Broward

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT **DADE**
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEY(S) FIRM NAME, ADDRESS AND TELEPHONE NUMBER

Thomas R. Shanady William F. Cobb, Esq.
316 NE 4th Street 2586 SE 8th Street
Fort Lauderdale, FL 33301 Pompano Beach, FL 33062

ATTORNEY(S) IF KNOWN

(d) CIRCLE COUNTY WHERE ACTION AROSE **DADE**

DADE MONROE BROWARD PALM BEACH MARTIN ST. LUCIE INDIAN RIVER OKEECHOBEE HIGHLANDS

II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- Citizen of This State ☐ 1 ☐ 1 Incorporated or Principal Place of Business in This State ☐ 4 ☒ 4
Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business in Another State ☐ 5 ☐ 5
Citizen or Subject of a Foreign Nation ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

| A CONTRACT | A TORTS | FORFEITURE/PENALTY | A BANKRUPTCY | A OTHER STATUTES |
|---|---|--|---|--|
| <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Motor Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Delinquent Student Loans & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> 180 Other Contract <input type="checkbox"/> 195 Contract Product Liability | PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury | <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Subject of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other | <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 A PROPERTY RIGHTS <input type="checkbox"/> 430 Copyrights <input type="checkbox"/> 430 Patent <input type="checkbox"/> 440 Trademark | <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 420 Banks and Banking <input type="checkbox"/> 450 Commercial/ICC Rates/etc <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Hackneyer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Selective Service <input type="checkbox"/> 490 Securities - Commodities - Exchange <input type="checkbox"/> 495 Customary Challenge 12 USC 3410 |
| A REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Easement <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | A CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 440 Other Civil Rights | PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 520 Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition | A LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor-Mgmt. Relations <input type="checkbox"/> 730 Labor Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Emp. Ret. Inc. Security Act | B SOCIAL SECURITY <input type="checkbox"/> 801 HSA - 1989 <input type="checkbox"/> 802 Black Lung 9201 <input type="checkbox"/> 803 D.W.G./D.W.W. 405(g) <input type="checkbox"/> 804 SS D Title XVI <input type="checkbox"/> 805 RSI 405(g) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 28 USC 7609 |

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE
DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

LENGTH OF TRIAL

vs. 7 days estimated (for both sides to try entire case) **410 A 1100 OF 42 USC 582107 1783**

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER FRCP 23 ☐

DEMAND \$ **10,000,000.00**

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ YES ☐ NO

VIII. RELATED CASE(S) (See instructions) IF ANY

JUDGE

DOCKET NUMBER

DATE **8/30/01** SIGNATURE OF ATTORNEY OF RECORD **[Signature]**

FOR OFFICE USE ONLY

RECEIVED **5/3/02**AMOUNT **1500**APPLYING FRP **8/3/01**

JUDGE